

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JAMES MacDOWELL BOONE,

Plaintiff,

v.

No.: 3:11-cv-212  
(VARLAN/GUYTON)

DR. SHARON CHASTAIN, et al.,

Defendants.

**MEMORANDUM AND ORDER**

This is a *pro se* civil rights complaint under 42 U.S.C. § 1983. Plaintiff was ordered to complete and return the service packets for the defendants within 20 days. That order was sent to plaintiff at his last known address of 103 Suburban Road, Suite 301, Knoxville, Tennessee, on July 15, 2011. On July 27, 2011, the Court received a notice of change of address for plaintiff to 735 Saint Louis Street, Suite 311, New Orleans, Louisiana. The envelope in which the notice was mailed was post-marked July 25, 2011. When plaintiff failed to timely return the service packets, the Court dismissed the case without prejudice for failure to prosecute.

Plaintiff subsequently filed a motion to reopen the case, saying he never received the Court's original order because he returned home to New Orleans as of July 7, 2011. Plaintiff bore the burden of keeping the Court informed of his correct mailing address, which includes

providing a timely notice of change of address, and he failed to do so. Accordingly, the motion to reopen the case [Doc. 10] is **DENIED**.

**E N T E R :**

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE